# **10**/5340**43** JC20 Rec'd PCT/PTO 05 MAY 2005

Docket No.: 4456-0104PUS1

(PATENT)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nobuo SAKAGUCHI

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: May 5, 2005

Art Unit: N/A

For:

TRANSGENIC MAMMAL CARRYING GANP GENE

TRANSFERRED THEREINTO AND UTILIZATION

THEREOF

**Examiner: Not Yet Assigned** 

### **LETTER**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The PTO is requested to use the amended sheets/claims attached hereto (which correspond to Article 19 amendments or to claims attached to the International Preliminary Examination Report (Article 34)) during prosecution of the above-identified national phase PCT application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §1.16 or 1.14; particularly, extension of time fees.

Dated: May 5, 2005

Respectfully submitted,

Gerald M. Murphy, J

Registration No.: 28,977

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Attachment(s)

# AMENDED CLARING REC'T PCT/PTO 0 5 MAY 2005

[Received by the International Bureau on April 5, 2004: Original claims 1, 2, 3, 4, 5, 6, 11 and 12 have been amended; Other claims have not been changed. (one page)]

- 1. (AMENDED) A transgenic non-human mammal carrying a GANP gene transferred thereinto or its progeny.
- 2. (AMENDED) The transgenic non-human mammal according to claim 1 wherein the transferred GANP gene is expressed in B cells, or its progeny.
  - 3. (AMENDED) The transgenic non-human mammal according to claim 1 or 2 wherein the mammal has been generated from GANP gene-transfected ES cells, or its progeny.
  - 4. (AMENDED) The transgenic non-human mammal according to any one of claims 1 to 3 wherein the mammal is mouse, or its progeny.
- 5. (AMENDED) A part of the transgenic non-human mammal according to any one of claims 1 to 4 or its progeny.
  - 6. (AMENDED) A method of producing a high affinity antibody, comprising administering an antigen to the transgenic non-human mammal according to any one of claims 1 to 4 or its progeny and recovering the antibody from the resultant mammal or progeny.
  - 7. A high affinity antibody obtainable by the method according to claim 6, or a fragment thereof.
- 30 8. The antibody according to claim 7 wherein the affinity is 1 x 10<sup>-7</sup> M or less as expressed as a dissociation constant, or a fragment thereof.
  - 9. The antibody according to claim 7 or 8 which is a polyclonal or monoclonal antibody, or a fragment thereof.

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- 10. A humanized antibody or human antibody, or a fragment thereof, comprising the V region of the antibody according to claim 9 or a fragment thereof.
- 11. (AMENDED) A pharmaceutical composition comprising at least one selected from the group consisting of the antibody according to any one of claims 7 to 9 or a fragment thereof, and the humanized antibody or human antibody, or a fragment thereof according to claim 10.
- 12. (AMENDED) A high affinity antibody-producing cell which is taken from the transgenic non-human mammal according to any one of claims 1 to 4 or its progeny, wherein said transgenic mammal or its progeny has been administered an antigen.

## EXPLANATION UNDER ARTICLE 19 (1)

Claims 1, 2, 3, 4, 5, 6 and 12 have been amended to change the term "transgenic mammal" is changed to "transgenic non-human mammal".

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Claim 11 has been amended to change the expression "the antibody according to any one of claims 8 to 10 or a fragment thereof" to "the antibody according to any one of claims 7 to 9 or a fragment thereof" and the expression "the humanized antibody or human antibody, or a fragment thereof according to claim 11" to "the humanized antibody or human antibody, or a fragment thereof according to claim 10" so that appropriate claims are cited therein.

WO 2004/040971 PCT/JP2003/014221

#### 補正書の請求の範囲

[2004年4月5日 (05. 04. 04) 国際事務局受理:出願当初の請求の範囲1,2,3,4,5,6,11及び12は補正された;他の請求の範囲は変更なし。(1頁)]

- 1. (補正後) GANP 遺伝子を導入したトランスジェニック非ヒト哺乳動物又はその子孫。
- 5 2. (補正後) 導入した GANP 遺伝子が B 細胞で発現するものである請求項 1 記載のトランスジェニック非ヒト哺乳動物又はその子孫。
  - 3. (補正後) GANP 遺伝子をトランスフェクトした ES 細胞から発生させた、 請求項1又は2に記載のトランスジェニック非ヒト哺乳動物又はその子孫。
  - 4. (補正後)哺乳動物がマウスである請求項1~3のいずれか1項に記載のトランスジェニック非ヒト哺乳動物又はその子孫。
    - 5. (補正後)請求項1~4のいずれか1項に記載のトランスジェニック非ヒト 哺乳動物又はその子孫の一部。
    - 6. (補正後)請求項1~4のいずれか1項に記載のトランスジェニック非ヒト 哺乳動物又はその子孫に抗原を投与し、得られる動物又は子孫から抗体を採取 することを特徴とする高親和性抗体の製造方法。
    - 7. 請求項6記載の方法により得られる高親和性抗体又はその断片。
    - 8. 親和性が 1×10<sup>-7</sup> (M) 以下で示されるものである請求項 7 記載の抗体又は その断片。
- 9. ポリクローナル又はモノクローナル抗体である、請求項7又は8記載の抗体 20 又はその断片。
  - 10. 請求項9記載の抗体又はその断片のV領域を含む、ヒト型化抗体若しくは ヒト抗体又はそれらの断片。
  - 11. (補正後)請求項7~9のいずれか1項に記載の抗体又はその断片、及び 請求項10記載のヒト型化抗体若しくはヒト抗体又はそれらの断片からなる
- 25 群から選択される少なくとも1つを含有する医薬組成物。

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12. (補正後)抗原を投与した請求項1~4のいずれかに記載のトランスジェニック非ヒト哺乳動物又はその子孫から採取される、高親和性抗体産生細胞。

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### 条約第19条(1)に基づく説明書

請求の範囲第1,2,3,4,5,6および12項は、「トランスジェニック哺乳動物」を「トランスジェニック非ヒト哺乳動物」に補正したものである。

請求の範囲第11項は、引用する請求の範囲の項数を記載内容に即して変更し、「請求項8~10のいずれか1項に記載の抗体又はその断片」を「請求項7~9のいずれか1項に記載の抗体又はその断片」に補正し、及び「請求項11記載のヒト型化大型化抗体若しくはヒト抗体又はそれらの断片」を「請求項10記載のヒト型化抗体若しくはヒト抗体又はそれらの断片」に補正したものである。